

# SIKKIM



## GOVERNMENT

## GAZETTE

**EXTRAORDINARY  
PUBLISHED BY AUTHORITY**

Gangtok

Saturday 9<sup>th</sup> December, 2017

No. 650

**URBAN DEVELOPMENT & HOUSING DEPARTMENT  
GOVERNMENT OF SIKKIM  
GANGTOK**

No: T (980)/UD&HD/3319

Dated: 01.12.2017

### NOTIFICATION

In exercise of powers conferred by Section 17 of the Sikkim Allotment of House Sites and Construction of Building (Regulation and Control) Act, 1985 (Act No.11 of 1985) read with sub regulation (iv) of Regulation 17 of the Sikkim Building Construction Regulation, 1991, (As amended by the Sikkim Building Construction (Amendment) Regulations, 2000) the State Government hereby prescribes a onetime relaxation with the following 'regularization fee' for any structure beyond the permissible number of floors completed or under construction or before the issue of this notification.

This notification shall supersede notification no. 363/GOS/UD&HD/2016/413 DATED 01.07.2016 AND NOTIFICATIONS NO 6(294)1927/UD&HD dated 16.09.2004.

#### Proposed Regularization Fees

1	<b>Horizontal</b> unauthorized construction in allotted sites.	Total unauthorized area X market rate + demurrage charge @ 25% of the calculated value.
2	<b>Horizontal</b> unauthorized construction within private holdings.	Total unauthorized floor area x Rs 20/-
3	<b>Vertical</b> unauthorized construction in both allotted sites and private holdings beyond approved Blue Print Plans but within the prescribed limit. (within 5 ½ floors)	Total unauthorized floor area X market rate of the land divided by the number of floors approved + demurrage charge @ 50% of the calculated value.
4	<b>Vertical</b> unauthorized construction in both allotted sites and private holdings beyond the approved Blue Print Plan and prescribed height. (i.e. beyond 5 ½ floors)  (Valid for a period of one year for the date of notification)	Total unauthorized floor area X market rate of the land divided by the number of floors approved + demurrage charge @ 100% of the calculated value

All applications for regularization of such unauthorized construction shall be submitted to the Chief Town Planner. For regularization of vertical unauthorized construction beyond the permissible prescribed height the application shall be submitted along with structural soundness certificate from a recognized Structural Engineer/Institution monitoring that the structure is sound to bear the load of extra floors built along with a geotechnical report and shall be regularized on payment of the above fine failing which the unauthorized construction shall be demolished in accordance with regulation 38 of the Sikkim Building Construction Regulation 1991. (As amended by the Sikkim Building Construction (Amendment) Regulations, 2000).

By order and in the name of Governor.

**G.T. Bhutia**  
**PCE-cum-Secretary**  
**Urban Development and Housing Department**